



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
1455 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94103-1398

Operations and Readiness Division

MAY 30 2013

SUBJECT: File Number 2008-00399S: Levin-Richmond Terminal Corporation; Maintenance Dredging – Episode 3; DMMO Serial Number: 13-025

Mr. Gary Levin
Levin-Richmond Terminal
402 Wright Avenue
Richmond, California 94804

Dear Mr. Levin:

This refers to the May 17, 2013 submittal on your behalf requesting approval of a dredge operation plan for maintenance dredging of approximately 3,600 cubic yards of sediment proposed to be dredged to a design depth of -45 feet mean lower low water from Berth A of the Levin Richmond Terminal located in the City of Richmond, Contra Costa County, California.

Your operation plan has been reviewed and approved. With this letter you are hereby authorized by the Corps of Engineers (Corps) to commence your maintenance dredging and subsequent disposal of dredged material at either the primary or secondary drying area at the Levin Richmond Terminal as shown on the attached map labeled "USACE File 2008-00399S, Levin-Richmond Terminal Berth A, Maintenance Dredging, November 2011" (Enclosure 1). We want to remind you of the following conditions that apply prior to and during dredging operations:

1. The permittee shall use a silt curtain while dredging.
2. The permittee is responsible for obtaining a letter of water quality certification from the Regional Water Quality Control Board and authorization from the San Francisco Bay Conservation and Development Commission for this episode. The Corps' authorization is not valid until those two authorizations have been obtained. The permittee is not required to forward these authorizations to the Corps.
3. Submit weekly the disposal site verification and summary log (Enclosure 2). This can be faxed to the Dredged Material Management Office (DMMO) at (415) 503-6690 or e-mailed to dll-sp-n-dmmo@usace.army.mil. An electronic copy may be downloaded from the web at <http://www.spn.usace.army.mil/conops/forms/dsvsl.pdf>. This information is to be submitted to the DMMO on the Monday following the dredge activity.

4. Submit, on Monday of each week, the data disk from the electronic positioning data recorded from the previous week's work. This information should be addressed to DMMO at the above address.

5. You are limited to a total of approximately 200,000 cubic yards over the life of your permit. The proposed amount to be dredged during this episode is approximately 3,600 cubic yards. If it appears that you will exceed this amount, you must notify the Corps immediately at the above address and provide justification.

6. Overflow requirements:

a. During dredging operations, no overflow is allowed, with the exception of spills incidental to mechanical dredge operations.

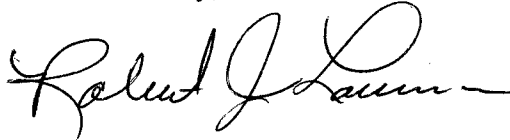
b. During transportation from dredging site to disposal site, no material shall be permitted to overflow, leak, or spill from barge, bins or dump scows.

7. **The permittee or dredge contractor shall inform this office when: 1) a dredge episode actually commences; 2) dredging is suspended (suspension is when the dredge contractor leaves the dredge site for more than 48 hours for reasons other than equipment maintenance); 3) dredging is restarted and; 4) dredging is complete. Each notification shall include the Corps permit number and dredge episode number** (see Enclosure 3). The information can be sent, to the attention of Debra O'Leary, in writing to the Corps of Engineers, Operations and Readiness Division, at the above address; faxed to (415) 503-6690; via telephone message at (415) 503-6807; or by e-mail to debra.a.o'leary@usace.army.mil.

8. Please note that there is an allowable timeframe to dredge to protect the habitat for threatened species and the species themselves per Section 7 of the Endangered Species Act of 1973, as amended (as stated in the June 6, 2001 letter from the Corps to the U.S. Fish and Wildlife Service with the U.S. Fish and Wildlife Service concurring on August 1, 2001). You proposed dredging only from June 1-November 30 to protect the habitat and species which is consistent with the above biological opinion. **Therefore, please be advised that you will have to complete your dredging or stop work by November 30, 2013.** If your work will exceed this timeframe, you must contact the Corps in order to initiate biological consultation with the U.S. Fish and Wildlife Service and/or NOAA Fisheries.

If you have any questions regarding this matter, please contact Debra O'Leary at (415) 503-6807 or e-mail at debra.a.o'leary@usace.army.mil. If you wish to write, please address all correspondence to Debra O'Leary and **refer to the file number at the head of this letter and include the dredge episode number.**

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Lawrence", with a long horizontal flourish extending to the right.

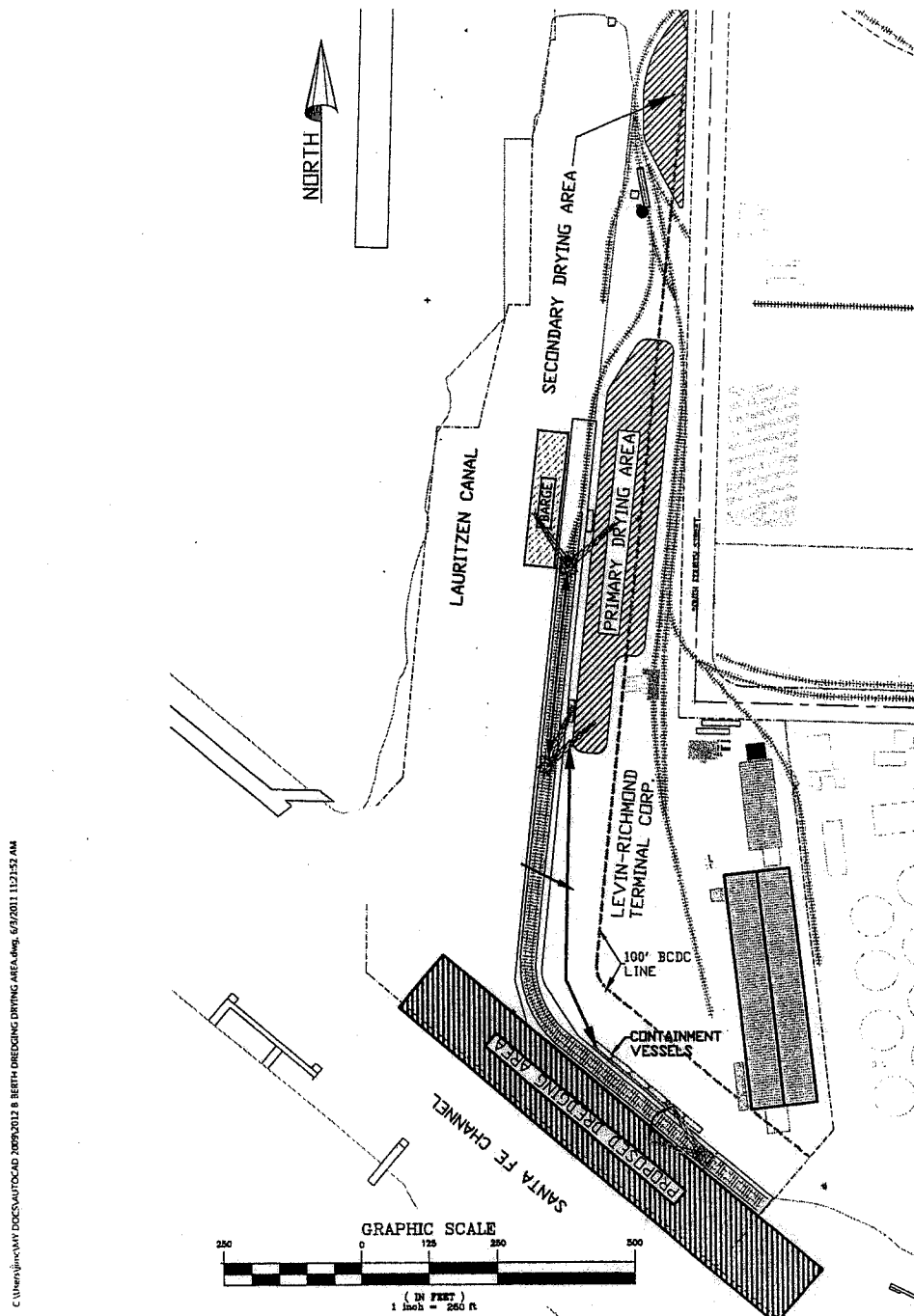
Robert J. Lawrence
Chief, Dredged Material Management Office
Operations and Readiness Division

Enclosures

Levin-Richmond Primary and Secondary Disposal Areas;
Disposal Site Verification and Summary Log;
Project Status.

Copies Furnished: (without enclosures)

US EPA, San Francisco, CA, (Brian Ross)
US FWS, Sacramento, CA (Ryan Olah)
NMFS, Santa Rosa, CA (Gary Stern, Korie Schaeffer)
SFBRWQCB, Oakland, CA (Beth Christian)
CA DFG, Monterey, CA (Vicki Frey)
SFBCDC, San Francisco, CA (Brenda Goeden)



USACE File: 2008-00399S
 Levin-Richmond Terminal Berth A
 Maintenance Dredging

November 2011

**Location of temporary primary and secondary re-handling sites on Levin
 Richmond Terminal Corporation property.**



PROJECT: _____ **DISPOSAL SITE:** _____

PERMIT: _____ **EPISODE:** _____ **1**

Page _____ of _____

PROJECT STATUS

Please use the forms below to report the dates when you start and finish the work authorized by the enclosed permit. Also if you suspend work for an extended period of time, use the forms below to report the dates you suspended and resumed work. If you find that you cannot complete the work within the time granted by the permit, please apply for a time extension at least one month before your permit expires. If you materially change the plan or scope of the work, it will be necessary for you to submit new drawings and a request for a modification of your permit.

(cut as needed) -----

Date: _____

NOTICE OF COMPLETION OF WORK under Department of the Army Permit No. 2008-00399S, Episode 3

TO: District Engineer, US Army Corps of Engineers, Operations and Readiness Division, 1455 Market Street, 16th Floor, San Francisco, CA 94103-1398

In compliance with the conditions of Permit No. 2008-00399S, this is to notify you that work was completed on _____.

Permittee: Mr. Gary Levin, Levin-Richmond Terminal

Address: 402 Wright Avenue, Richmond, CA 94804

(cut as needed) -----

Date: _____

NOTICE OF RESUMPTION OF WORK under Department of the Army Permit No. 2008-00399S, Episode 3

TO: District Engineer, US Army Corps of Engineers, Operations and Readiness Division, 1455 Market Street, 16th Floor, San Francisco, CA 94103-1398

In compliance with the conditions of Permit No. 2008-00399S, this is to notify you that work was resumed on _____.

Permittee: Mr. Gary Levin, Levin-Richmond Terminal

Address: 402 Wright Avenue, Richmond, CA 94804

(cut as needed) -----

Date: _____

NOTICE OF SUSPENSION OF WORK under Department of the Army Permit No 2008-00399S, Episode 3

TO: District Engineer, US Army Corps of Engineers, Operations and Readiness Division, 1455 Market Street, 16th Floor, San Francisco, CA 94103-1398

In compliance with the conditions of Permit No. 2008-00399S, this is to notify you that work was suspended on _____.

Permittee: Mr. Gary Levin, Levin-Richmond Terminal

Address: 402 Wright Avenue, Richmond, CA 94804

(cut as needed) -----

Date: _____

NOTICE OF COMMENCEMENT OF WORK under Department of the Army Permit No. 2008-00399S, Episode 3

TO: District Engineer, US Army Corps of Engineers, Operations and Readiness Division, 1455 Market Street, 16th Floor, San Francisco, CA 94103-1398

In compliance with the conditions of Permit No. 2008-00399S, this is to notify you that work commenced on _____.

Permittee: Mr. Gary Levin, Levin-Richmond Terminal

Address: 402 Wright Avenue, Richmond, CA 94804